

X-9 AQ 120 (Rev. 3/04)

TO: Mail Stop 8 Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court for the District of Maryland on the following ☒ Patents or ☐ Trademarks:


DOCKET NO. 11-761	DATE FILED 3/22/11	U.S. DISTRICT COURT FOR THE DISTRICT OF MARYLAND 101 W. Lombard St. Baltimore MD
PLAINTIFF ArrivaStar SA et al		DEFENDANT Maryland Transit Admin.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,317,060		
2 7,030,781		
3		
4		
5		

In the above-entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY	
	<input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading	
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1		
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In the above-entitled case, the following decision has been rendered or judgment issued:

DECISION/JUDGMENT

CLERK Felicia C. Cannon	(BY) DEPUTY CLERK		DATE 3/23/11
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Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director
 Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ARRIVALSTAR S.A.
67 Rue Michel
Welter L-2730, Luxembourg

and

MELVINO TECHNOLOGIES LIMITED
P.O. Box 3152
RG Hodge Building
Road Town, Tortola,
British Virgin Islands,

Plaintiffs

vs.

MARYLAND TRANSIT
ADMINISTRATION
6 St. Paul Street
Baltimore, MD 21202

Defendant.

Case No.:

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs ArrivalStar S.A. and Melvino Technologies Limited (collectively, "ArrivalStar" or "Plaintiffs"), by and through their undersigned attorneys, for their complaint against defendant Maryland Transit Administration ("MTA")(MTA is referred to as "Defendant") allege as follows:

NATURE OF LAWSUIT

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

THE PARTIES

2. ArrivalStar S.A. is a corporation organized under the laws of Luxembourg and having offices at 67 Rue Michel, Welter L-2730, Luxembourg.

3. Melvino Technologies Limited is a corporation organized under the laws of the British Virgin Island of Tortola, having offices at P.O. Box 3152, RG Hodge Building, Road Town, Tortola, British Virgin Islands.

4. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 6,317,060 ("the '060 patent"), entitled "Base station system and method for monitoring travel of mobile vehicles and communicating notification messages," issued November 13, 2001. A copy of the '060 patent is annexed hereto as Exhibit A.

5. ArrivalStar owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,030,781 ("the '781 patent"), entitled "Notification system and method that informs a party of vehicle delay," issued April 18, 2006. A copy of the '781 patent is annexed hereto as Exhibit B.

6. Defendant MTA is an agency of the State of Maryland with a place of business at 6 St. Paul St., Baltimore, Maryland 21202. MTA transacts business and has, at a

minimum, offered to provide and/or provided in this judicial district and throughout the State of Maryland services that infringe claims of the '060 and '781 patents.

7. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400(b).

DEFENDANT MTA'S ACTS OF PATENT INFRINGEMENT

8. Defendant MTA has infringed claims of the '060 and '781 patents through, among other activities, the use of MTA's Alert tracking system.

9. MTA's Alert tracking system notifies users about the impending arrival of a plurality of vehicles.

10. MTA's Alert tracking system includes line/route information for a plurality of vehicles.

11. MTA's Alert tracking system allows users to select specific periods of time in which notification events are expected to occur.

12. MTA's Alert tracking system monitors the travel of vehicles during user selected times

13. The MTA Alert tracking system is configured to disregard travel data indicating delays of less than a minimum time.

14. The MTA Alert tracking system is configured to analyze travel data and transmit an alert notification upon the determination that vehicles are delayed.

15. The MTA Alert tracking system sends out notification alerts via email and SMS text message.

16. MTA's Alert tracking system monitors travel data associated with the vehicles in service along many different planned routes.

17. MTA's Alert tracking system compares the planned scheduled of a train to the train's actual travel and notifies users when the train is delayed.

18. MTA's Alert tracking system sends out notifications via email and SMS regarding vehicles in advance of the vehicles arriving at scheduled stops.

19. In addition to notifying users of a delayed vehicle, the MTA Alert tracking system is configured to provide users with updated arrival timing information.

20. Defendant MTA's infringement has injured and will continue to injure ArrivalStar causing damages.

21. Defendant MTA's infringement will continue unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the '060 and '781 patents.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to enter judgment against the Defendant, and against their subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

A. An award of damages adequate to compensate ArrivalStar for the infringement that has occurred, together with prejudgment interest from the date that Defendant's infringement of the ArrivalStar patents began;

B. Increased damages as permitted under 35 U.S.C. § 284;

- C. A finding that this case is exceptional and an award to ArrivalStar of its attorneys' fees and costs as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the ArrivalStar patents; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

Dated: March 22, 2011

Respectfully submitted,

/s/ Anthony E. Dowell

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